



United States Department of the Interior
Bureau of Land Management

Eastern States
7450 Boston Boulevard
Springfield, Virginia 22153
<http://www.blm.gov/es>



IN REPLY REFER TO:

Errata 2

September 4, 2007

ADDENDUM

Please note the following corrections and changes to our Notice of Competitive Lease Sale, Oil and Gas, for the lease sale being held on September 13, 2007.

1. The following parcels are subject to Controlled Surface Use Stipulation Nos. 1, 2, and 3 and Lease Notices:

ES-068-09/07 LAES 055060 PD
ES-069-09/07 LAES 055061 PD
ES-074-09/07 LAES 055066 PD
ES-077-09/07 LAES 055069 PD
ES-078-09/07 LAES 055070 PD
ES-079-09/07 LAES 055071 PD
ES-080-09/07 LAES 055072 PD
ES-081-09/07 LAES 055073 PD
ES-082-09/07 LAES 055074 PD
ES-083-09/07 LAES 055075 PD
ES-084-09/07 LAES 055076 PD
ES-085-09/07 LAES 055077 PD
ES-089-09/07 LAES 055081 PD
ES-092-09/07 LAES 055084 PD
ES-093-09/07 LAES 055085 PD
ES-094-09/07 LAES 055086 PD
ES-095-09/07 LAES 055087 PD
ES-096-09/07 LAES 055088 ACQ

2. **The following parcels are subject to Controlled Surface Use Stipulation Nos. 1, 2, 3, 4, and 5 and Lease Notices:**

ES-070-09/07 LAES 055062 PD
ES-072-09/07 LAES 055064 PD
ES-073-09/07 LAES 055065 PD
ES-086-09/07 LAES 055078 PD
ES-087-09/07 LAES 055079 PD
ES-088-09/07 LAES 055080 PD
ES-090-09/07 LAES 055082 PD

3. **ES-071-09/07 LAES 055063 PD is subject to Controlled Surface Use Stipulation Nos. 1, 2, 3, and 9 and Lease Notices.**
4. **ES-076-09/07 LAES 055068 PD is subject to Controlled Surface Use Stipulation Nos. 1, 2, and 3, BLM No Surface Occupancy and Lease Notices**
5. **ES-091-09/07 LAES 055083 PD is subject to Controlled Surface Use Stipulation Nos. 1, 2, 3, 6, 7, and 8 and Lease Notices.**

/s/ Gina A. Goodwin
Gina A. Goodwin
Lead Land Law Examiner
Division of Natural Resources

Controlled Surface Use Stipulations for Privately Owned Surface Land in Louisiana

Description: Twelve parishes (Webster, Vermillion, St. Landry, Ouachita, Lincoln, Iberville, Jackson, Desoto, Caldwell, Calcasieu, Caddo, and Bienville) in the state of Louisiana

1. This lease may be found to contain historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, E.O. 13007, or other statutes and executive orders. The BLM will not approve any ground disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities. *These obligations may include a requirement that you provide a cultural resources survey conducted by a professional archaeologist.* The BLM may require modification to exploration or development proposals to protect such properties, or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized or mitigated.

Modification: None

Waiver: This stipulation may be waived by the Authorized Officer if it is documented that a cultural resources survey, which meets professional standards, has been conducted and significant sites, including sites of concern to Native Americans, will not be impacted by development of this lease, or if it is documented that a cultural resources survey is not otherwise required.

Exemptions: An exemption may be granted for a specific development proposal if it is documented that a cultural resources survey, which meets professional standards, has been conducted on the area of proposed development and significant sites, including sites of concern to Native Americans, will not be impacted by development of this lease, or if it is documented that a cultural resources survey is not otherwise required.

2. The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modification of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act as amended, 16 U.S.C. 1531 *et seq.*, including completion of any required procedure for conference or consultation.

Modification: None

Exception: None

Waiver: None

3. **Lease Stipulation:** To protect wildlife and watershed values, no construction activities will be permitted within 250' of a perennial or intermittent creek or stream.

Exception: An exception may be granted if the operator agrees to implement measures developed in consultation with USFWS and in coordination with NRCS (for Wetlands Reserve Program lands), and state agencies, and COE approval for jurisdictional wetlands.

Modification: In areas where the slope is less than 10% the buffer may be reduced to 100 feet if the adjacent waterway has been surveyed from 100 yards upstream to 300 yards downstream of the site, and results document the lack of suitable/occupied habitat for special status species within the mixing zone downstream of the project, as determined to by BLM and USFWS.

Modification: The buffer may be extended if the intervening slope exceeds 10%.

Waiver: None

4. **Recommended for Lands Located in T16N, R1W; T17N, R1W; T17N, R2W; T19N, R15W; T19N, R5E and T8S, R9W:**

Red-cockaded woodpecker

Stipulation: No surface occupancy shall be permitted within one-half mile of a red-cockaded woodpecker cluster. A cluster is defined as a 200-foot buffer added to a convex polygon surrounding all active and inactive cavity trees.

Objective: To protect red-cockaded woodpecker nest sites from disturbance and habitat degradation.

Exception: An exception may be granted to allow surface occupancy within the buffer if the operator agrees to measures developed in consultation with the USFWS and in coordination with state agencies.

Modification: None

Waiver: This stipulation may be waived if no active clusters exist on the tract and the tract does not provide foraging habitat for an adjacent cluster.

5. Recommended for Lands Located in T16N, R1W; T17N, R1W; T17N, R2W; T19N, R15W; T19N, R5E and T8S, R9W:

Stipulation: Prior to activity in suitable red-cockaded woodpecker foraging habitat (cover at least 50% pine trees over 10 inches in diameter and at least 30 years old) or nesting habitat (pines at least 60 years old and 10 inches in diameter), the applicant will conduct a survey of suitable habitat within ½ mile of the project according to protocols described in the updated Red-cockaded Woodpecker Recovery Plan, Second Revision completed by U.S. Fish and Wildlife Service in 2003. If red-cockaded woodpeckers are found a biological assessment will be completed and the project modified as needed to ensure that there is “no adverse affect” with concurrence from the Lafayette Ecological Services Office of the U.S. Fish and Wildlife Service.

Objective: Avoid adverse affects to endangered red-cockaded woodpecker and occupied habitat.

Exception: Surveys may not be required if existing red-cockaded woodpecker clusters are adequately mapped in the project area.

Modification: None

Waiver: This stipulation may be waived if there are no known red-cockaded woodpecker clusters known to exist in the area.

6. Recommended for T10S, R9W Sec. 15 Lot 2:

Lease Stipulation (NSO): No surface occupancy or disturbance, including discharges, are permitted within 250 feet of a river, stream, wetland spring, headwaters, wet meadows, wet pine savannas, pond, tributary, lake, coastal slough, sand bars, vernal pools on granite outcrops, calcareous seepage marshes or small, marshy calcareous streams. If the slope exceeds 10%, the buffer may be extended up to 600 feet to provide adequate protection for aquatic habitats and associated species.

Objective: To protect water quality of watersheds and natural stream substrate and morphology and to avoid potential impacts to federal and state-listed aquatic species.

Exception: An exception may be granted if the operator agrees to 1) span creeks and floodplains by attaching pipelines to bridges or 2) directionally drill under creeks, rivers, and other waters.

7. Recommended for T19N, R15W and T10S, R9W Sec. 15 Lot 2:

Lease Stipulation: No surface occupancy shall be permitted within 300 meters of an active rookery between February 16 through August 31.

Objective: To avoid impacts to active rookeries, including courtship and nesting behavior, egg laying and incubation, and feeding and fledging activity.

Waiver: The stipulation may be waived if no rookeries are identified on or within 300 meters of the leased tract.

8. Recommended for T19N, R15W and T10S, R9W Sec. 15 Lot 2:

Lease Stipulation: : No surface occupancy shall be permitted within 400 meters of a beach nesting bird colony or within 700 meters for Brown Pelicans, between March 31 through September 15.

Objective: To avoid impacts to beach nesting bird colony, including courtship and nesting behavior, egg laying and incubation, and feeding and fledging activity.

Waiver: The stipulation may be waived if no nesting colonies are identified on or within 400 meters (700 meters for Brown Pelicans) of the leased tract.

9. Recommended for T16N, R7W:

Special Status Plants

Stipulation: All viable special status plant species habitats will be identified during environmental review of the proposed surface activity. If field examination indicates suitable habitat, BLM will require the applicant to conduct a survey by a qualified botanist for special status plants. Based on that survey, BLM will determine whether or not the species/would be affected by the proposed activity. If the species would be affected, consultation with USFWS or the appropriate state agency would be required.

Objective: To protect special status sensitive plant species.

Exception: An exception may be granted if the operator agrees to implement measures developed in consultation with the USFWS and in coordination with state agencies.

No Surface Occupancy Stipulation for Corps of Engineers Lands

No surface occupancy or use is allowed on the lands described below unless application by letter for a waiver (as defined below) is made that demonstrates that surface occupancy on the leasehold is necessary to produce the lease, consent is given by the Surface Management Agency, if applicable, and subsequent environmental analysis shows that surface occupancy, as requested, would not result in unacceptable adverse impacts to the environment, as determined by the Authorized Officer.

Location: T. 12 S., R. 8 E., Sections 1-6, 21-27, 46-49; T. 12 S., R. 7 E., Sections 12-14; and T. 11 S., R. 8 E., T. 11 S., R. 8 E., Sections 21, 22, 27-29, 31-35, 39-41; Louisiana Meridian, Bonnet Carre Spillway, St. Charles Parish, Louisiana.

Waiver: A waiver from this lease stipulation may be granted for all or portion of this lease. Prior to granting a waiver, environmental analysis and appropriate documentation must be completed based on a Reasonably Foreseeable Development Scenario. The analysis must consider past, present, and reasonable foreseeable impacts on the lease and adjacent areas. With the consent of the Surface Management Agency, if applicable, a waiver of the stipulation may be granted for those portions of the lease identified as not containing sensitive or important historic, cultural, and scenic values, fish or wildlife values or their habitat or other important or sensitive natural systems, processes or human values.

Exception: None.

Modification: None.

Stipulations for proposed drill location

1. This lease may be found to contain historic properties and/or resources protected under the National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, E.O. 13007, or other statutes and executive orders. The BLM will not approve any ground disturbing activities that may affect any such properties or resources until it completes its obligations under applicable requirements of the NHPA and other authorities. *These obligations may include a requirement that you provide a cultural resources survey conducted by a professional archaeologist.* The BLM may require modification to exploration or development proposals to protect such properties, or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized or mitigated.

Modification: None

Waiver: This stipulation may be waived by the Authorized Officer if it is documented that a cultural resources survey, which meets professional standards, has been conducted and significant sites, including sites of concern to Native Americans, will not be impacted by development of this lease, or if it is documented that a cultural resources survey is not otherwise required.

Exemptions: An exemption may be granted for a specific development proposal if it is documented that a cultural resources survey, which meets professional standards, has been conducted on the area of proposed development and significant sites, including sites of concern to Native Americans, will not be impacted by development of this lease, or if it is documented that a cultural resources survey is not otherwise required.

2. Areas used to develop the lease may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modification of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act as amended, 16 U.S.C. 1531 et seq., including completion of any required procedure for conference or consultation.

Modification: None

Exception: None

Waiver: None

3. Bald Eagle

Stipulation: No surface occupancy shall be permitted within 660 of an active or alternate Bald Eagle nest.

Objective: To avoid impacts to nesting eagles, including courtship and nesting behavior, egg laying and incubation, and feeding and fledging activity.

Exception: An exception may be granted for disturbance outside of the nesting season if the operator agrees to implement measures developed in consultation with the USFWS and in coordination with state agencies.

Exception: An exception may be granted if the nest has not been used for at least 5 years.

Modification: The distance may be reduced to 330 feet, or as close as the existing tolerated activity of similar scope for activities outside of the nesting season if there is similar activity within a mile of the proposed well site and the activity will not be visible from the nest site.

Waiver: The stipulation may be waived if no nest sites are identified on or within 660 feet of the leased tract.

4. Special Status Freshwater Aquatic Species

Stipulation: No surface disturbing activities, including discharges, shall be permitted within 250 feet of a river, stream, or tributary that provides suitable habitat for special status species.

Objective: To protect the water quality of watersheds and natural stream substrate and morphology supporting federally listed species and their host species.

Exception: An exception may be granted if the operator agrees to implement measures developed in consultation with USFWS and in coordination with state agencies.

Modification: In areas where the slope is less than 10% the buffer may be reduced to 100 feet if the adjacent waterway has been surveyed from 100 yards upstream to 300 yards downstream of the site, and results document the lack of suitable/occupied habitat for special status species within the mixing zone downstream of the project, as determined to by BLM and USFWS.

Modification: The buffer may be extended if the intervening slope exceeds 10%.

Waiver: The stipulation may be waived if it is determined that the areas used to develop the lease would have no hydrological connection to habitat of sensitive aquatic species.

5. Active Rookery

Lease Stipulation: No surface occupancy shall be permitted within 300 meters of an active rookery between February 16 through August 31.

Objective: To avoid impacts to active rookeries, including courtship and nesting behavior, egg laying and incubation, and feeding and fledging activity.

Waiver: The stipulation may be waived if no rookeries are identified on or within 300 meters of the leased tract.

6. Beach Nesting Birds

Lease Stipulation: : No surface occupancy shall be permitted within 400 meters of a beach nesting bird colony or within 700 meters for Brown Pelicans, between March 31 through September 15.

Objective: To avoid impacts to beach nesting bird colony, including courtship and nesting behavior, egg laying and incubation, and feeding and fledging activity.

Waiver: The stipulation may be waived if no nesting colonies are identified on or within 400 meters (700 meters for Brown Pelicans) of the leased tract.

7. **Special Status Plants**

Stipulation: All viable special status plant species habitats will be identified during environmental review of the proposed surface activity. If field examination indicates suitable habitat, BLM will require the applicant to conduct a survey by a qualified botanist for special status plants. Based on that survey, BLM will determine whether or not the species/would be affected by the proposed activity. If the species would be affected, consultation with USFWS or the appropriate state agency would be required.

Objective: To protect special status sensitive plant species.

Exception: An exception may be granted if the operator agrees to implement measures developed in consultation with the USFWS and in coordination with state agencies.

Lease Notices

1. Should the oil or gas be developed at this site, all open vent stack equipment, such as heater-treaters, separators, and dehydrator units, will be designed and constructed to prevent birds and bats from entering or nesting in or on such units, and to the extent practical, to discourage birds from perching on the stacks. Installing cone-shaped mesh covers on all open vents is one suggested method. Flat mesh covers are not expected to discourage perching and will not be acceptable.
2. To reduce the potential to spread invasive, non-native plants, the operator will be encouraged to use native and/or noninvasive cover plants in seeding mixtures to stabilize disturbed areas and during restoration activities. Final seed mixtures will be formulated in consultation with the private land owner or surface managing agency.
3. To protect perch and roosting sites and terrestrial habitats for and to avoid potential impacts to migratory birds and federally listed wildlife:

Any reserve pit not closed within 10 days after a well is completed and which contains water must be netted, covered with floating balls, or use other methods to exclude migratory birds.

Maximum design speed on all operator-constructed and maintained (non-public) roads shall not exceed 25 miles per hour to minimize the chance of a collision with migratory birds or other listed wildlife species.

All power lines would be built to protect raptors and other migratory birds, including bald eagles, from accidental electrocution using methods detailed by the Avian Power Line Interaction Committee (1996).